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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

LARAMIE GRIFFITH,	)	Case No.	<u>'12CV1245 H</u>	<b>BGS</b>
	)			
Plaintiff,	)		<b>Complaint For Damages</b>	
	)			
vs.	)		<b>Jury Trial Demanded</b>	
	)			
LEGAL RECOVERY LAW OFFICES, INC.,	)			
MARK D. WALSH individually and in his official	)			
capacity	)			
	)			
<u>Defendants.</u>	)			

1. This is an action for actual damages, statutory damages, attorney fees and costs brought by an individual consumer, Laramie Griffith, (hereinafter Plaintiff) for Legal Recovery Law Offices, Inc. and Mark D. Walsh, individually and in his official capacity (hereinafter “Defendants”) violations of the Fair Debt Collection practices Act, 15 U.S.C. § 1692, et seq. (hereinafter “FDCPA”)<sup>1</sup> the Rosenthal Fair Debt Collection Practices Act, California Civil Code § 1788 et seq. (hereinafter “the Rosenthal Act”)<sup>2</sup> which prohibit debt collectors from engaging in abusive, deceptive and unfair practices.

2. Plaintiff makes these allegations on information and belief, with the exception of those allegations that pertain to Plaintiff, or to plaintiff's counsel, which Plaintiff allege on personal

<sup>1</sup> All undesignated section references to §1692 are to the FDCPA

<sup>2</sup> All undesignated section references to §1788 are to the Rosenthal Act

1 knowledge.

2 3. While many violations are described below with specificity, this Complaint alleges  
3 violations of the statutes cited in their entirety.

4 **JURISDICTION AND VENUE**

5 4. This action arises out of Defendants' violations of the FDCPA and Rosenthal Act.

6 5. Jurisdiction arises pursuant to 28 U.S.C. § 1391, 1337, 15 U.S.C. §1692(k)(d), and 47  
7 U.S.C. §277 et seq. and 28 U.S.C. §1367 for supplemental state claims.

8 6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391.

9 **THE PARTIES**

10 7. Plaintiff is a natural person residing in Butte County, California.

11 8. Plaintiff is a consumer within the meaning of § 1692a(3) in that he is a natural person  
12 purportedly obligated to pay a credit card debt, allegedly owed to Capitol One Bank USA, (hereinafter  
13 "Debt")

14 9. Plaintiff is a "debtor" as that term is defined by §1788.2(h).

15 10. At all times relevant herein, Defendants Legal Recovery Law Offices, Inc., was a  
16 company engaged, by use of the mails and telephone in the business of collecting debts, as defined by  
17 §1692a(5), and consumer debts as defined by § 1788.2(f). Defendants Legal Recovery Law Offices,  
18 Inc., regularly attempts to collect debts alleged to be due another and is therefore a debt collector within  
19 the meaning of §1692a(6) and §1788.2(c).

20 11. At all times relevant herein, Defendant Mark D. Walsh was a natural person and an  
21 employee, agent, officer, member and/or director of Legal Recovery Law Offices, Inc., was a third-  
22 party debt collector that was engaged, by use of the mails and telephone in the business of collecting  
23 debts, as defined by §1692a(5), and consumer debts as defined by § 1788.2(f). Mark D. Walsh  
24 regularly attempts to collect debts alleged to be due another and is therefore a debt collector within the  
25 meaning of § 1692a(6) and §1788.2(c).

26 12. Mark Walsh is liable for the acts of Legal Recovery Law Offices, Inc., because he sets  
27 and approves the collection policies, practices and he directed the unlawful activities described herein.

28 13. As Defendants do business in the state of California, is located in San Diego County,

1 and has committed the acts that form the basis for this suit in the state of California, this Court has  
2 personal jurisdiction over Defendants for purposes of this action.

3 **FACTUAL ALLEGATIONS**

4 14. At all times herein, Defendants, was attempting to collect, from Plaintiff, a debt as  
5 defined by §1692a (5) of the FDCPA and a consumer debt as defined by § 1788.2(f) of the Rosenthal  
6 Act.

7 15. Prior to May 2, 2011, Plaintiff allegedly fell behind in the payment allegedly owed on  
8 the alleged debt. Plaintiff currently neither admits nor denies that the debt is valid.

9 16. Prior to June 2, 2011, the alleged debt was assigned, placed or otherwise transferred to  
10 Defendants for collection.

11 17. Beginning on or about June 22, 2011, and on multiple occasions since that time,  
12 Defendants placed collection calls to Plaintiff seeking and demanding payment for an alleged debt with  
13 the intent to annoy, abuse and/or harass him.

14 18. These phone calls were debt collections as defined in §1788.2(b).

15 19. Defendants called Plaintiff's employer and spoke to his supervisor. The male caller did  
16 not identify himself but volunteered that he was calling for information as "Legal Recovery" thereby  
17 indicating he was in the business of debt collection. The caller was not asked to identify his employer.  
18 The caller did not ask to verify location information. This communication was in violation of §1692b  
19 and §1788.12(a).

20 20. All the above phone calls were communications within the meaning of §1692a(2).

21 21. Defendants threatened to file suit unless a payment was made. Plaintiff mailed  
22 Defendants a check for \$250.00 drawn on his checking account at Sierra Central. This check cleared on  
23 or about July 5, 2011.

24 22. Defendants claimed the amount due was \$3,600. Plaintiff received a statement from  
25 Capitol One that same day showing that figure was significantly less. By misrepresenting the amount of  
26 the debt Defendants violated §1692e(2)A.

27 23. Defendants claimed that this amount would "jump up to as much as \$8,000 including  
28 legal fees if the balance is not paid ASAP". This was a false statement as there is no conceivable legal

1 set of circumstances that would cause this to occur. This violated §1692e(2)(A) and §1692e(10).

2 24. Approximately one month after this, on or about August 1, 2011 Plaintiff noticed that  
3 there had been an automatic withdrawal from his checking account for \$250.00 by Defendants. Plaintiff  
4 did not authorize this withdrawal.

5 25. This withdrawal was the use of a deceptive means to collect a debt in violation of  
6 §1692e(10).

7 26. Defendants threatened to continue to take money out of Plaintiff's checking account for  
8 the next three months. This violated §1788.10(e) *and* §1692d and §1692f(1).

9 27. This unauthorized withdrawal is also in violation of National Automated Clearinghouse  
10 Association Rules (NACHA) §3.12.1 at OR41 and §2.5.15.2 at OR19. By violating these rules as well  
11 as by making an unauthorized withdrawal, Defendants also violated §1692f(1) by collecting an amount  
12 that was not expressly authorized by agreement or permitted by law.

13 28. By engaging in this conduct the natural consequence being harassment and oppression  
14 of the Plaintiff in connection with the collection of a debt, Defendants violated §1692d and  
15 §1788.11(e). The telephone calls and misrepresentations therein and unauthorized withdrawals from  
16 Plaintiff's household checking account, by Defendants, harmed Plaintiff in numerous ways including  
17 but not limited to the following: anxiety and stress resulting in overall diminished abilities to carry on  
18 his activities of daily living.

19 29. Because these actions violated the FDCPA sections cited herein, Defendants  
20 also violated §1788.17 of the Rosenthal Act as it incorporates those sections.

21 **FIRST CLAIM FOR RELIEF**

22 **(Violations of the FDCPA)**

23 31. Plaintiff repeats, re-alleges, and incorporates by reference all the allegations contained in  
24 the paragraphs above.

25 32. The foregoing acts and omissions constitute numerous and multiple violations of the  
26 FDCPA, including but not limited to each and every one of the above cited provisions of the FDCPA,  
27 15 U.S.C. § 1692 et seq.

28 33. As result of each and every violation of the FDCPA, Plaintiff is entitled to any actual

1 damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00  
2 pursuant to 15 U.S.C. § 1692k(a)(2)(A); reasonable attorney's fees and costs pursuant to 15 U.S.C. §  
3 1692k(a)(3) from defendant.

4 **SECOND CLAIM FOR RELIEF**

5 **(Claim for violations of the Rosenthal Act against Legal Recoveries Law Offices only)**

6 30. Plaintiff repeats, re-alleges, and incorporates by reference all the allegations contained in  
7 the paragraphs preceding the First Claim for Relief.

8 31. Plaintiff is entitled to statutory damages of \$1000.00 as Defendants acts and omissions  
9 violated the Rosenthal Act including, but not limited to §1788.17. Defendant's violations of § 1788.17  
10 of the Rosenthal Act (which incorporates several of the provisions of the FDCPA) include, but are not  
11 limited to those enumerated in the above First Claim for Relief.

12 32. Plaintiff is entitled to statutory damages of \$1000.00 under §1788.30(b) for Defendants  
13 violations, as enumerated above, of §1788.10(e) and §1788.12(a).

14 33. Pursuant to §1788.32, the remedies provided under §§1788.30(b) and 1788.17 are  
15 intended to be cumulative and in addition to any other procedures, rights or remedies that Plaintiff may  
16 have under any other provision of law.

17 34. Defendants' violations of the Rosenthal Act were willful and knowing, thereby entitling  
18 Plaintiff to statutory damages pursuant to § 1788.30(b) of the Rosenthal Act.

19 35. Defendants' acts as described above were done intentionally with the purpose of  
20 coercing Plaintiff to pay the debt.

21 36. As a proximate result of the violations of the Rosenthal Act committed by Defendants,  
22 Plaintiff is entitled to any actual damages, statutory damages, reasonable attorney's fees and costs of  
23 this action.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiff prays that judgment be entered against Defendants, and for Plaintiff  
26 requests this Court:

- 27 (1) Assume jurisdiction in this proceeding;  
28 (2) Declare that the Defendants violated the FDCPA;

- 1 (3) Declare that the Defendants violated the Rosenthal Act;
- 2 (4) Award actual damages in accordance with proof at trial, pursuant to §1692k(a)(1)
- 3 of the FDCPA and § 1788.30(a) of the Rosenthal Act;
- 4 (5) Award statutory damages of an amount not exceeding \$1,000.00 pursuant to §
- 5 1692k(a)(2)(A) of the FDCPA;
- 6 (6) Award statutory damages of an amount not exceeding \$1,000.00 pursuant to
- 7 §1788.30(b) of the Rosenthal Act for violation of § 1788.17 of the Rosenthal
- 8 Act<sup>3</sup>;
- 9 (7) Award of statutory damages of \$1000.00 pursuant to § 1788.30(b) of the
- 10 Rosenthal Act for separate violations of §1788.10(e) and §1788.12(a).
- 11 (8) Award of the costs of litigation and reasonable attorney's fees, pursuant to
- 12 §1692k (a) (3) of the FDCPA and § 1788.30(c) of the Rosenthal Act;
- 13 (9) Such other and further relief this court may deem just and proper.
- 14
- 15

16 Dated May 22, 2012

17 s/ Patric A. Lester  
18 Patric A. Lester  
19 Attorney for Plaintiff,  
20 Laramie Griffith  
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<sup>3</sup> § 1692k(a)(2)(A) of the FDCPA

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

Laramie Griffith

(b) County of Residence of First Listed Plaintiff Butte  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Patric A. Lester, Lester & Associates, 5694 Mission Center Rd. #358,  
San Diego, Ca., 92108 (619)-665-3888

**DEFENDANTS**

Legal Recovery Law Offices and Mark D. Walsh

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

**'12CV1245 H BGS****II. BASIS OF JURISDICTION**

(Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |                                         |                            |                            |                                                                      |                            |                            |
|-----------------------------------------|----------------------------|----------------------------|----------------------------------------------------------------------|----------------------------|----------------------------|
|                                         | <b>PTF</b>                 | <b>DEF</b>                 |                                                                      | <b>PTF</b>                 | <b>DEF</b>                 |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation                                                       | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT**

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify) \_\_\_\_\_  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
15 USC §1692 et. seq.

Brief description of cause:

Fair Debt Collection Practices Act violations

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ 75,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE May 22, 2012 SIGNATURE OF ATTORNEY OF RECORD

/s/ Patric A. Lester

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

### Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553  
Brief Description: Unauthorized reception of cable service

**VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.